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10/624,166

07/21/2003

Harri Lakkala

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EXAMINER

ADDY, ANTHONY S

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

06/02/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/624,166

Applicant(s)

LAKKALA, HARRI

Examiner

ANTHONY S. ADDY

Art Unit

2617

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03/05/2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10,12-17,19,21-26,28,30-35 and 37-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-8, 10, 12-17, 19, 21-26, 28, 30-35 and 37-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

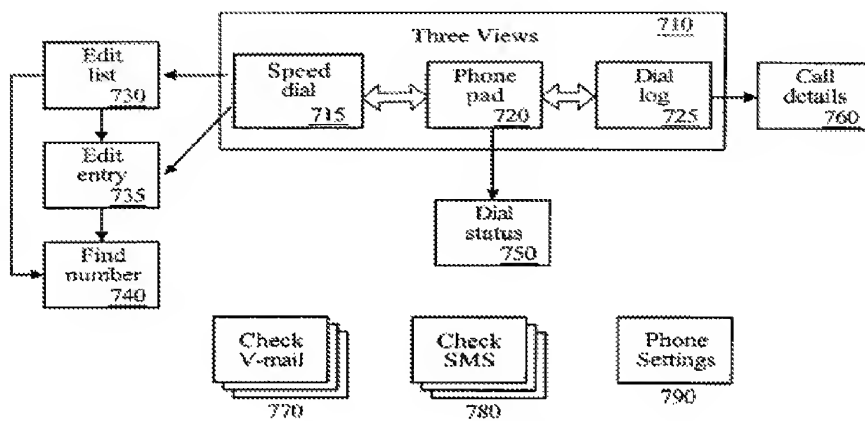
1. This action is in response to applicant's amendment filed on March 05, 2009. **Claims 9, 18, 27 and 36** has been canceled and new **claims 38-41** has been added. **Claims 1, 3-8, 10, 12-17, 19, 21-26, 28, 30-35 and 37-41** are pending in the present application.

### ***Response to Arguments***

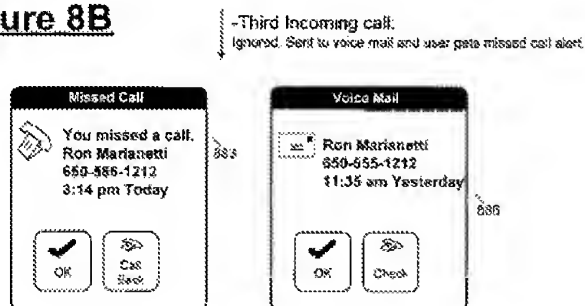
2. Applicant's arguments filed on March 09, 2009 have been fully considered but they are not persuasive.

In response to applicant's argument that, "the combination of Sakai and Hawkins fails to disclose, teach or suggest constituting a collection of contact attempt including both received unanswered call data and at least one saved **text** message (see page 9, first and second paragraphs of the response)," examiner respectfully disagrees and maintains that Sakai in view of Hawkins meets the limitations as claimed. Examiner reiterates that Hawkins teaches if a mobile telephone user ignores an incoming call, the call may be transferred to a user designated destination and a missed call screen is displayed, showing the identity, telephone number, time and date of the call (see col. 8, lines 15-19). According to Hawkins, if the caller left a message on voicemail, a third option is displayed, permitting the user to listen to the voicemail left by the caller (see col. 8, lines 21-24). Examiner respectfully disagrees with applicant's assertions that the "message" in Hawkins is limited to "voicemail" and a voicemail is entirely different from text message (see page 9, first paragraph of the response). Examiner respectfully

notes that contrary to applicant's assertions, Hawkins teaches as illustrated in Fig. 7 below the "message" could either be a voicemail message or text/e-mail message (see col. 7, line 31-33 and Fig. 7; *Check SMS 780*).



**Figure 8B**



Furthermore, for example, Hawkins illustrates in Fig. 8B above, that if the mobile telephone user ignores a call from Ron Marianetti, the contact attempts includes both received unanswered call data (e.g., *telephone number and time of the missed call from Ron Marianetti*) and at least one saved message (e.g., *a saved voicemail from Ron Marianetti*) by combining together the unanswered call data and messages which both

refer to the same caller and the message is displayed in text as show above (see col. 8, lines 21-24 and Fig. 8B).

Hence, it is clear contrary to applicant's assertions the "message" in Hawkes is not limited to only voicemail, but includes text (SMS)/e-mail message, thus Sakai in view of Hawkes teaches the claimed limitations directed to " constituting a collection of contact attempt including both received unanswered call data and at least one saved text message."

In view of the above, the 35 U.S.C. 103(a) rejections with regard to claims **1, 3-8, 10, 12-17, 19, 21-26, 28, 30-35** and **37-41** using Sakai and Hawkins are proper and are maintained as repeated below. The rejections are made **FINAL**.

### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims **1, 3-10, 12-19, 21-28** and **30-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Sakai et al., U.S. Publication Number 2003/0100295 A1 (hereinafter Sakai)** and further in view of **Hawkins et al., U.S. Patent Number 6,516, 202 (hereinafter Hawkins)**.

Regarding claim 1, Sakai teaches a subscriber terminal (*e.g., a mobile phone*) (see p. 4 [0063-0064] and Figs. 9 & 10), comprising: a transceiver (*i.e., reception unit 3, transmission unit 4 and duplexer 2 constitute a transceiver of the mobile phone*) configured to receive calls and messages (see p 5[0084] and Fig. 1); a control unit (*e.g.,*

*CPU 5) connected to the transceiver configured to save received unanswered call data, save received messages, and to constitute a collection of contact attempts (i.e., the caller information and the message left by the caller reads on a saved received unanswered call data and received messages, since Sakai teaches the caller information includes ID information of the caller, caller's name, phone number, and image data to identify a missed caller and the caller information is stored in a storage unit by the CPU as a missed calls list in addition to a message left by the caller to constitute a contact attempt) (see p. 5 [0086, 0087, 0092 & 0098] and Fig. 10); and a user interface (e.g., display unit 9) connected to the control unit (i.e., CPU 5) configured to present the contact attempts (see p. 5 [0097], p. 8 [0159] and Figs. 1 & 4).*

Sakai fails to explicitly teach the contact attempts includes both received unanswered call data and at least one saved text message by combining together the unanswered call data and messages which both refer to the same caller.

In an analogous field of endeavor, Hawkins teaches if a mobile telephone user ignores an incoming call, the call may be transferred to a user designated destination and a missed call screen is displayed, showing the identity, telephone number, time and date of the call (see col. 8, lines 15-19). According to Hawkins, if the caller left a message on voicemail, a third option is displayed, permitting the user to listen to the voicemail left by the caller (see col. 8, lines 21-24). For example, Hawkins illustrates in Fig. 8B, that if the mobile telephone user ignores a call from Ron Marianetti, the contact attempts includes both received unanswered call data (e.g., *telephone number and time of the missed call from Ron Marianetti*) and at least one saved message (e.g., *a saved*

*voicemail from Ron Marianetti*) by combining together the unanswered call data and messages which both refer to the same caller (see col. 8, lines 21-24 and Fig. 8B).

Hawkins further teaches the "message" could either be a voicemail message or text/e-mail message (see col. 7, line 31-33).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai with Hawkins, wherein the contact attempts includes both received unanswered call data and at least one saved text message by combining together the unanswered call data and messages which both refer to the same caller, in order to automatically link or associate caller identification with a voicemail notification so that a mobile telephone user receives a notification of which missed call(s) generated a voicemail to allow the user to select particular ones of the voicemail to open and listen to rather than being forced to listen to all recorded voicemails, which is particularly useful for screening voicemails recorded from numbers/callers for which the user has no interest, as taught by Hawkins (see col. 8, lines 21-24 and Fig. 8B).

Regarding claim 3, Sakai in view of Hawkins teaches all the limitations of claim 1. Sakai in view of Hawkins further teaches wherein the control unit is configured to find a reference to the same caller if both the unanswered call data and the message both contain the same caller identifier (see *Hawkins*, col. 8, lines 13-24 and Fig. 8B).

Regarding claim 10, Sakai teaches an arrangement (*e.g., a mobile phone*) (see p. 4 [0063-0064] and Figs. 9 & 10), comprising: receiving means (*e.g., reception unit 3*) for receiving calls and messages (see p 5[0084] and Fig. 1); saving means (*e.g., storage unit 8*) for saving received unanswered call data and saving received messages

(see p. 5 [0092 & 0098] and Fig. 10); constituting means (e.g., a CPU 5) for constituting a collection of contact attempts (*i.e., the caller information and the message left by the caller reads on a saved received unanswered call data and received messages, since Sakai teaches the caller information includes ID information of the caller, caller's name, phone number, and image data to identify a missed caller and the caller information is stored in a storage unit by the CPU as a missed calls list in addition to a message left by the caller to constitute a contact attempt*) (see p. 5 [0086, 0087, 0092 & 0098] and Fig. 10); and a presenting means (e.g., display unit 9) for presenting the contact attempts (see p. 5 [0097], p. 8 [0159] and Figs. 1 & 4).

Sakai fails to explicitly teach the contact attempts includes both received unanswered call data and at least one saved text message by combining together the unanswered call data and messages which both refer to the same caller.

In an analogous field of endeavor, Hawkins teaches if a mobile telephone user ignores an incoming call, the call may be transferred to a user designated destination and a missed call screen is displayed, showing the identity, telephone number, time and date of the call (see col. 8, lines 15-19). According to Hawkins, if the caller left a message on voicemail, a third option is displayed, permitting the user to listen to the voicemail left by the caller (see col. 8, lines 21-24). For example, Hawkins illustrates in Fig. 8B, that if the mobile telephone user ignores a call from Ron Marianetti, the contact attempts includes both received unanswered call data (*e.g., telephone number and time of the missed call from Ron Marianetti*) and at least one saved message (*e.g., a saved voicemail from Ron Marianetti*) by combining together the unanswered call data and



messages which both refer to the same caller (see col. 8, lines 21-24 and Fig. 8B).

Hawkins further teaches the "message" could either be a voicemail message or text/e-mail message (see col. 7, line 31-33).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai with Hawkins, wherein the contact attempts includes both received unanswered call data and at least one saved text message by combining together the unanswered call data and messages which both refer to the same caller, in order to automatically link or associate caller identification with a voicemail notification so that a mobile telephone user receives a notification of which missed call(s) generated a voicemail to allow the user to select particular ones of the voicemail to open and listen to rather than being forced to listen to all recorded voicemails, which is particularly useful for screening voicemails recorded from numbers/callers for which the user has no interest, as taught by Hawkins (see col. 8, lines 21-24 and Fig. 8B).

Regarding claim 12, Sakai in view of Hawkins teaches all the limitations of claim 10. Sakai in view of Hawkins further teaches wherein the control unit is configured to find a reference to the same caller if both the unanswered call data and the message both contain the same caller identifier (see *Hawkins*, col. 8, lines 13-24 and Fig. 8B).

Regarding claims 19 and 28, Sakai teaches a computer program distribution medium readable by a computer and encoding a computer program of instructions for executing a computer process and a method for presenting contact attempts to a subscriber terminal of a radio system (see p. 1 [0005], p. 5 [0086-0087] and Figs. 4 & 10), comprising: receive calls and messages (see p 5[0084]); saving received

unanswered call data and received messages, constituting a collection of contact attempts (*i.e., the caller information and the message left by the caller reads on a saved received unanswered call data and received messages, since Sakai teaches the caller information includes ID information of the caller, caller's name, phone number, and image data to identify a missed caller and the caller information is stored in a storage unit by the CPU as a missed calls list in addition to a message left by the caller to constitute a contact attempt*) (see p. 5 [0086, 0087, 0092 & 0098]); and presenting the contact attempts (see p. 5 [0097] and p. 8 [0159]).

Sakai fails to explicitly teach the contact attempts includes both received unanswered call data and at least one saved text message by combining together the unanswered call data and messages which both refer to the same caller.

In an analogous field of endeavor, Hawkins teaches if a mobile telephone user ignores an incoming call, the call may be transferred to a user designated destination and a missed call screen is displayed, showing the identity, telephone number, time and date of the call (see col. 8, lines 15-19). According to Hawkins, if the caller left a message on voicemail, a third option is displayed, permitting the user to listen to the voicemail left by the caller (see col. 8, lines 21-24). For example, Hawkins illustrates in Fig. 8B, that if the mobile telephone user ignores a call from Ron Marianetti, the contact attempts includes both received unanswered call data (*e.g., telephone number and time of the missed call from Ron Marianetti*) and at least one saved message (*e.g., a saved voicemail from Ron Marianetti*) by combining together the unanswered call data and messages which both refer to the same caller (see col. 8, lines 21-24 and Fig. 8B).

Hawkins further teaches the "message" could either be a voicemail message or text/e-mail message (see col. 7, line 31-33).

It would therefore have been obvious to one of ordinary skill in the art at the time of the invention to modify Sakai with Hawkins, wherein the contact attempts includes both received unanswered call data and at least one saved text message by combining together the unanswered call data and messages which both refer to the same caller, in order to automatically link or associate caller identification with a voicemail notification so that a mobile telephone user receives a notification of which missed call(s) generated a voicemail to allow the user to select particular ones of the voicemail to open and listen to rather than being forced to listen to all recorded voicemails, which is particularly useful for screening voicemails recorded from numbers/callers for which the user has no interest, as taught by Hawkins (see col. 8, lines 21-24 and Fig. 8B).

Regarding claims 21 and 30, Sakai in view of Hawkins teaches all the limitations of claims 19 and 28. Sakai in view of Hawkins further teaches wherein the control unit is configured to find a reference to the same caller if both the unanswered call data and the message both contain the same caller identifier (see *Hawkins*, col. 8, lines 13-24 and Fig. 8B).

Regarding claims 4, 13, 22 and 31, Sakai in view of Hawkins teaches all the limitations of claims 1, 10, 19 and 28. Sakai in view of Hawkins further teaches a subscriber terminal, program, method and arrangement, wherein the control unit is configured to display in the user interface the contact attempts as a list of contact attempts (see *Sakai*, p. 7 [0143], p. 8 [0159], Figs. 4 & 8; *screen 44* and Fig. 11).

Regarding claims 5, 14, 23 and 32, Sakai in view of Hawkins teaches all the limitations of claims 4, 13, 22 and 31. Sakai in view of Hawkins further teaches a subscriber terminal, program, method and arrangement, wherein the control unit is configured to display the list of contact attempts as a list of callers (see *Sakai*, p. 1 [0011], p. 7 [0143], p. 8 [0159], Figs. 4 & 8; *screen 44* and Fig. 11).

Regarding claims 6, 15, 24 and 33, Sakai in view of Hawkins teaches all the limitations of claims 1, 10, 19 and 28. Sakai in view of Hawkins further teaches a subscriber terminal, program, method and arrangement, wherein the control unit is configured to receive a selection regarding a contact attempt from the user interface and to display the selected contact attempt in more detail in the user interface (see *Sakai*, p. 8 [0157, 0160 & 0169] and Fig. 8).

Regarding claims 7, 16, 25 and 34, Sakai in view of Hawkins teaches all the limitations of claims 1, 10, 19 and 28. Sakai in view of Hawkins further teaches a subscriber terminal, program, method and arrangement, wherein the control unit is configured to fetch a name of the caller present in the contact attempts from a phonebook and to display the name of the caller in the user interface (see *Sakai*, p. 5 [0086], p. 8 [0160] and Fig. 8).

Regarding claims 8, 17, 26 and 35, Sakai in view of Hawkins teaches all the limitations of claims 1, 10, 19 and 28. Sakai in view of Hawkins further teaches a subscriber terminal, program, method and arrangement, wherein the control unit is configured to display in the user interface a selection mechanism, which, when

selected, makes a contact to a caller of the selected contact attempt (see *Sakai*, p. 8 [0160] and Fig. 8).

Regarding claim 37, Sakai in view of Hawkins teaches all the limitations of claim 28. Sakai in view of Hawkins further teaches a computer program storage, the storage medium comprising a computer readable medium, a record medium, a computer readable memory, a computer readable software distribution package and a computer readable compressed software package (see *Sakai*, p. 1 [0005] and Fig. 10).

Regarding claim 38, Sakai in view of Hawkins teaches all the limitations of claim 1. Sakai in view of Hawkins further teaches the subscriber terminal, wherein the user interface is configured to present the unanswered call data together with content of the at least one saved text message (*i.e., reads on the feature of Hawkins that the display is configured to display text and the message from a missed call attempt includes a text message*) (see *Hawkins*, col. 2, lines 51-52, col. 7, lines 32-34, col. 8, lines 13-20 and Fig. 8B).

Regarding claims 39, 40 and 41, Sakai in view of Hawkins teaches all the limitations of claims 10, 19 and 28. Sakai in view of Hawkins further teaches wherein presenting the contact attempts comprises presenting the unanswered call data together with content of the at least one saved text message (*i.e., reads on the feature of Hawkins that the display is configured to display text and the message from a missed call attempt includes a text message*) (see *Hawkins*, col. 2, lines 51-52, col. 7, lines 32-34, col. 8, lines 13-20 and Fig. 8B).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY S. ADDY whose telephone number is (571)272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. S. A./  
Examiner, Art Unit 2617

/Patrick N. Edouard/

Supervisory Patent Examiner, Art Unit 2626